

## PATENT COOPERATION TREATY

## PCT

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference <b>H2589 PCT</b>	<b>FOR FURTHER ACTION</b> see Form PCT/ISA/220 as well as, where applicable, item 5 below.	
International application No. <b>PCT/EP2004/010857</b>	International filing date ( <i>day/month/year</i> ) <b>28/09/2004</b>	(Earliest) Priority Date ( <i>day/month/year</i> ) <b>25/11/2003</b>
Applicant <b>MAX-PLANCK-GESELLSCHAFT ZUR FÖRDERUNG DER ...</b>		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 7 sheets.



It is also accompanied by a copy of each prior art document cited in this report.

**1. Basis of the report**

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

The international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b.  With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I.

2.  Certain claims were found unsearchable (See Box II).

3.  Unity of invention is lacking (see Box III).

4. With regard to the **title**,

- the text is approved as submitted by the applicant.  
 the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

- the text is approved as submitted by the applicant.  
 the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regard to the **drawings**,

- a. the figure of the **drawings** to be published with the abstract is Figure No. \_\_\_\_\_

- as suggested by the applicant.  
 as selected by this Authority, because the applicant failed to suggest a figure.  
 as selected by this Authority, because this figure better characterizes the invention.

- b.  none of the figures is to be published with the abstract.

# INTERNATIONAL SEARCH REPORT

International application No.

PCT/EP2004/010857

**Box No. I Nucleotide and/or amino acid sequence(s) (Continuation of item 1.b of the first sheet)**

1. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, the international search was carried out on the basis of:
  - a. type of material
    - a sequence listing
    - table(s) related to the sequence listing
  - b. format of material
    - in written format
    - in computer readable form
  - c. time of filing/furnishing
    - contained in the international application as filed
    - filed together with the international application in computer readable form
    - furnished subsequently to this Authority for the purpose of search
2.  In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
3. Additional comments:

## INTERNATIONAL SEARCH REPORT

International Application No  
PCT/EP2004/010857

A. CLASSIFICATION OF SUBJECT MATTER  
IPC 7 C12Q1/68

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)  
IPC 7 C12Q

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, BIOSIS, Sequence Search, EMBASE

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 03/082210 A (MIYAKAWA TSUYOSHI ; KARAYIORGOU MARIA (US); MASSACHUSETTS INST TECHNOL) 9 October 2003 (2003-10-09) Gene targets, polymorphisms and methods for the diagnosis and treatment of schizophrenia the whole document -----	1,3, 8-20,24 <i>XX</i>
X	BAUGHMAN GAIL ET AL: "Tissue distribution and abundance of human FKBP51, an FK506-binding protein that can mediate calcineurin inhibition" BIOCHEMICAL AND BIOPHYSICAL RESEARCH COMMUNICATIONS, vol. 232, no. 2, 1997, pages 437-443, XP002312737 ISSN: 0006-291X the whole document -----	1,8-22, 24,25 <i>XX</i> -/-

Further documents are listed in the continuation of box C.

Patent family members are listed in annex.

## \* Special categories of cited documents :

- \*A\* document defining the general state of the art which is not considered to be of particular relevance
- \*E\* earlier document but published on or after the international filing date
- \*L\* document which may throw doubts on priority, claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- \*O\* document referring to an oral disclosure, use, exhibition or other means
- \*P\* document published prior to the international filing date but later than the priority date claimed

- \*T\* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- \*X\* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- \*Y\* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- \*&\* document member of the same patent family

Date of the actual completion of the international search

11 January 2005

Date of mailing of the international search report

27/01/2005

Name and mailing address of the ISA

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Bort, S

## INTERNATIONAL SEARCH REPORT

International Application No  
PCT/EP2004/010857

## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	<p>DATABASE GENE BANK            10 July 2001 (2001-07-10),            A SHWELL R: "Homo sapiens chromosome 6            clone RP11-282I23, 2 unordered pieces"            XP002312801            Database accession no. AL590962            A 175989 bp human clone comprising SEQ ID            No. 118            abstract</p> <p>-----</p> <p>DATABASE GENE BANK            10 July 2001 (2001-07-10),            CLARK: "Homo sapiens chromosome 6 clone            RP11-238F24, 3 unordered pieces"            XP002312802            Database accession no. AL512371            A 159482 bp human clone comprising SEQ ID            No. 118            abstract</p> <p>-----</p> <p>YU Y W -Y ET AL: "Association study of            the serotonin transporter promoter            polymorphism and symptomatology and            antidepressant response in major            depressive disorders."            MOLECULAR PSYCHIATRY,            vol. 7, no. 10, 2002, pages 1115-1119,            XP008041266            ISSN: 1359-4184            the whole document</p> <p>-----</p> <p>TEARE J M ET AL: "Measurement of nucleic            acid concentrations using the DyNA Quant            and the GeneQuant"            BIOTECHNIQUES,            vol. 22, no. 6, 1997, pages 1170-1174,            XP008041123            ISSN: 0736-6205            abstract</p> <p>-----</p> <p>P, A WO 2004/039837 A (FIERENS FREDERIK LUCIEN            PIETER ; GOEHLMANN HINRICH WILHELM HELM            (BE);) 13 May 2004 (2004-05-13)            Polynucleotides and polypeptides which can            be used in the diagnosis and therapy of            depression            the whole document</p> <p>-----</p>	24
X		
A		
A		
P, A		

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box II.1

Claims Nos.: 1-4,8-22 (all partially) 5-7,23,27,29 (all completely)

Claims 1-4 and 8-22 refer to methods which comprise a step carried out on the human or animal body, i.e. "analysing the nucleic acid of a sample taken from...". Consequently, said methods are not regarded as inventions (Rule 39.1(iv) PCT). The search of said claims has been carried for the subject-matter of said claims wherein the step carried out in the human/animal body has been excluded.

Claims 5-7, 23, 27 and 29 refer to methods of treatment. Said methods are not regarded as inventions (Rule 39.1(iv) PCT). No search has been carried out for the subject-matter of said claims

## INTERNATIONAL SEARCH REPORT

### Box II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1.  Claims Nos.: 1-4, 8-22 (all partially) 5-7, 23, 27, 29 (all completely)  
because they relate to subject matter not required to be searched by this Authority, namely:

see FURTHER INFORMATION sheet PCT/ISA/210

2.  Claims Nos.:  
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:

3.  Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

### Box III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1.  As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2.  As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3.  As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4.  No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

#### Remark on Protest

- The additional search fees were accompanied by the applicant's protest.  
 No protest accompanied the payment of additional search fees.

**INTERNATIONAL SEARCH REPORT**

Information on patent family members

International Application No

PCT/EP2004/010857

Patent document cited in search report	Publication date		Patent family member(s)		Publication date
W0 03082210	A	09-10-2003	WO US 03082210 A2 2004014095 A1		09-10-2003 22-01-2004
WO 2004039837	A	13-05-2004	WO 2004039837 A2		13-05-2004